

103^D CONGRESS
2^D SESSION

S. 2503

To amend the Small Business Act to authorize small business concerns owned and controlled by individuals with disabilities to participate in business development programs established by that Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5 (legislative day, SEPTEMBER 12), 1994

Mr. DURENBERGER, (for himself, Mr. HARKIN, Mr. DOLE, Mr. McCAIN, Mr. SIMON, Mrs. MURRAY, and Mr. JEFFORDS) introduced the following bill; which was read twice and referred to the Committee on Small Business

A BILL

To amend the Small Business Act to authorize small business concerns owned and controlled by individuals with disabilities to participate in business development programs established by that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Americans with Dis-
5 abilities Business Development Act of 1993”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Section 2 of the Small Business Act
3 (15 U.S.C. 631) is amended by adding at the end the fol-
4 lowing new subsection:

5 “(i) The Congress finds that—

6 “(1) approximately 43,000,000 Americans have
7 1 or more physical or mental disabilities, and this
8 number is increasing as the population as a whole
9 is growing older;

10 “(2) census data, national polls, and other stud-
11 ies have documented that individuals with disabil-
12 ities, as a group, occupy an inferior status in our so-
13 ciety, and are severely disadvantaged socially, voca-
14 tionally, economically, and educationally;

15 “(3) individuals with severe disabilities have
16 faced many of the same discriminatory obstacles in
17 developing small businesses as have groups pre-
18 viously recognized as ‘socially and economically dis-
19 advantaged’ under the Small Business Act;

20 “(4) the Nation’s proper goals regarding indi-
21 viduals with severe disabilities are to assure equality
22 of opportunity, full participation, independent living,
23 and economic self-sufficiency for such individuals;
24 and

25 “(5) these goals can be advanced by providing
26 the maximum practicable opportunities for the

1 growth and development of small business concerns
2 owned and controlled by individuals with severe dis-
3 abilities.”.

4 (b) PURPOSES.—The purposes of this Act are—

5 (1) to assist the legitimate business interests of
6 small business concerns owned and controlled by in-
7 dividuals with severe disabilities;

8 (2) to permit small business concerns owned
9 and controlled by individuals with severe disabilities
10 to participate in business development programs es-
11 tablished by the Small Business Act; and

12 (3) to eliminate, insofar as possible, discrimina-
13 tion against individuals with severe disabilities in ob-
14 taining capital and other production assistance.

15 **SEC. 3. DEFINITIONS.**

16 Section 3(f) of the Small Business Act (15 U.S.C.
17 632(f)) is amended to read as follows:

18 “(f) SEVERE DISABILITY.—For purposes of this Act,
19 unless otherwise specifically provided, the term ‘severe dis-
20 ability’ shall have the meaning given such term, by regula-
21 tion, by the Administration.”.

22 **SEC. 4. AMERICANS WITH DISABILITIES.**

23 (a) POLICY STATEMENT.—Section 2(f)(1)(C) of the
24 Small Business Act (15 U.S.C. 631(f)(1)(C)) is amended

1 by inserting “Americans with severe disabilities,” after
 2 “Asian Pacific Americans,”.

3 (b) SMALL BUSINESS AND CAPITAL OWNERSHIP DE-
 4 VELOPMENT PROGRAM.—Section 8(a)(5) of the Small
 5 Business Act (15 U.S.C. 637(a)(5)) is amended by adding
 6 at the end the following new sentence: “For the purposes
 7 of this subsection, individuals with severe disabilities shall
 8 be considered to be socially disadvantaged individuals.”.

9 (c) CONTRACT CLAUSE.—The contract clause con-
 10 tained in section 8(d)(3)(C) of the Small Business Act (15
 11 U.S.C. 631(d)(3)) is amended in the last sentence by in-
 12 serting “Americans with severe disabilities,” after “Asian
 13 Pacific Americans,”.

14 **SEC. 5. TECHNICAL AMENDMENTS TO SMALL BUSINESS**
 15 **ACT.**

16 The Small Business Act (15 U.S.C. 631 et seq.) is
 17 amended—

18 (1) in section 3(e)—

19 (A) by striking “the handicapped” and in-
 20 serting “individuals with severe disabilities”;
 21 and

22 (B) by striking “handicapped individuals”
 23 each place such term appears and inserting “in-
 24 dividuals with severe disabilities”;

25 (2) in section 7(a)(10)—

1 (A) by striking “the handicapped” and in-
2 serting “individuals with severe disabilities”;
3 and

4 (B) by striking “handicapped individual”
5 and inserting “individual with severe disabil-
6 ities”; and

7 (3) in subsection 7(h)—

8 (A) by striking “handicapped individuals”
9 and inserting “individuals with severe disabil-
10 ities”;

11 (B) by striking “handicapped individual”
12 and inserting “individual with severe disabil-
13 ities”; and

14 (C) by striking paragraph (3).

